

REMARKS

Claims 1-15 are currently pending. Applicant reserve the right to pursue the original claims and any other claims in this application and any other application.

Claims 1, 6/1, 7, 8, 10/1, 11/1, 12/1, and 13-15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi et al. (U.S. Patent No. 6,608,914)(“Yamaguchi”) in view of Lu et al. (U.S. Patent No. 5,550,928)(“Lu”). Claims 4/1 and 5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi in view of Lu and Usui (U.S. Patent No. 5,210,797). These rejections are respectfully traversed.

Claim 1 recites, *inter alia*, A living body identifying device comprising: “a living body information imaging means for imaging living body information; a registration data storage means for storing a registration data; an identifying means for identifying the living body information thus imaged with the registration data, comprising: an optimization candidate data extracting means for extracting an optimization candidate data for data renewal from the imaged living body information when the living body information is identified; an optimization candidate data storage means for accumulating a plural of said optimization candidate data extracted by said optimization candidate data extracting means for pre-determined period; and a renewal storage means for newly storing data having high priority as new registration data from the plural of optimization candidate data accumulated in said optimization candidate data storage means and the registration data stored in said registration data storage means, thereby renewing the registration data when after said pre-determined period a renewing request has been made by a user.”

Claim 13 recites, *inter alia*, A living body identifying system, comprising: "a center device that is equipped with optimization candidate data storage means for accumulating a plural of said optimization candidate data extracted by an optimization candidate data extracting means for a pre-determined period; and a renewal storage means for storing, as new registration data, the data having higher priorities of the plural of optimization candidate data accumulated in said optimization candidate data storage means and the registration data stored in said registration storage means, thereby renewing the registration data when after said pre-determined period a renewing request has been made by a user."

Claim 14 recites, *inter alia*, A living body identifying method for imaging an image of a living body and identifying the image with previously stored registration data the method comprising: "extracting optimization candidate data for data renewal from past record data of the living body information thus achieved; and renewing the registration data by selecting data having higher priorities from the optimization candidate data extracted and the registration data, when after a pre-determined period a user makes a renewing request."

Claim 15 recites, *inter alia*, "A registration data renewing method for a living body identifying system, comprising: extracting a registration candidate data from a past record; storing the registration candidate data thus extracted; and renewing registration data for collation by using the registration candidate data, wherein renewed registration data has higher priority than older registration data when after a pre-determined period a user makes a renewing request."

Yamaguchi discloses an apparatus for recognizing a person. Referring to Fig. 1, the apparatus 10 includes a feature extracting section 12 that extracts a personal feature as a set of vectors. In cooperation with a subspace calculation section 14, the set

of vectors is used to construct a correlation matrix, the correlation matrix is used to construct a set of eigenvectors which forms the basis of a subspace. See column 5, lines 15-63. The apparatus 10 further includes a recognition section 16, which is coupled to a registered information holding section 18 and a registered information updating section 20.

Significantly, Yamaguchi discloses that for a given person, multiple subspaces may be stored. For example, subspaces corresponding to a person wearing glasses or having make-up applied, and the same person not wearing glasses or not having make-up applied may be stored in respective subspaces. See Fig. 6(a). Additionally, multiple subspaces over time may also be stored for a same person. Column 7, lines 54-57; Fig. 7. Even subspaces corresponding to other people may be associated together. Column 7, lines 58-63.

Yamiguchi fails to disclose "a renewal storage means for newly storing data having high priority as new registration data from the plural of optimization candidate data accumulated in said optimization candidate data storage means and the registration data stored in said registration data storage means" and "thereby renewing the registration data when after said pre-determined period a renewing request has been made by a user."

This is confirmed by the Office Action that states at page 4 that "Yamaguchi does not teach the step of storing the data extracted by registered information updating section, 20, (optimization candidate data extracting means) in the memory..."

The Office Action cites to Lu and Usui. However, these references, like Yamaguchi, fail to disclose or suggest a priority system "storing data ... [and] renewing

renewing the registration data when after said pre-determined period a renewing request has been made by a user.”

Accordingly, Yamaguchi, Lu, and Usui, whether taken individually or in combination, fail to disclose or suggest a “a renewal storage means ... storing data ... [and] renewing the registration data when after said pre-determined period a renewing request has been made by a user.” As such, the rejection of claim 1 should be respectfully withdrawn.

Claims 2-12 depend, directly or indirectly, from claim 1 and include all the limitations there of and are allowable for at least for the same reasons noted above with respect to claim 1.

Claims 13-15 have a similar limitation as claim 1, “renewing the registration data when after a pre-determined period a user makes a renewing request” (claim 13), “renewing...when after a pre-determined period a user makes a renewing request”(claim 14), and “renewing...when after a pre-determined period a user makes a renewing request” (claim 15) and are allowable for at least the reasons noted above with respect to claim 1.

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In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Michael A. Weinstein

Registration No.: 53,754

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant